

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – September 4, 2003
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairman: Craig H. Zetley *(voting on items 1-34)*

Members: Henry P. Szymanski *(voting on items 1-22, 24-29, 31-34)*
Scott R. Winkler *(voting on items 1-34)*
Catherine M. Doyle *(voting on items 1-18, 20-34)*

Alt. Board Members: Georgia M. Cameron *(voting on items 1-33)*
Donald Jackson *(voting on items 19, 23, 30, 34)*

START TIME: 1:10 p.m.

End Time: 2:40 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	25029 Special Use	Betty J. Ross, Property Owner Request to occupy the premises as a 24hr day care facility for 8 children per shift, 1mo.-12yrs. of age, Monday-Sunday.	2614 N. 46th St. 7th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
2	25115 Special Use	Joe T. Williams, Lessee Request to add a car wash to the existing motor vehicle repair facility.	2940 W. Fond Du Lac Av. 7th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
3	24963 Dimensional Variance	Brian A. Bobber, Property Owner Request to construct a single family residential dwelling on the premises in which the overhead garage door faces the street and is not at least 4 ft. setback from the front facade of the main building mass.	3643 S. 87th St. 11th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
4	25043 Special Use	Bhuphinder & Harjinder Ghuman Property Owner Request to occupy the premises as a 24 hr motor vehicle filling station and convenience store.	1200 E. Howard Av. 14th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
5	25113 Special Use	Abdul R. Motlani, Prospective Buyer Request to combine two parcels and occupy the premises as a motor vehicle repair facility (oil lube) and a sit-down restaurant(coffee shop).	3604-10 W. Lincoln Av. 8th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the site is landscaped and screened according to the landscaping plans submitted to the Board of Zoning Appeals on 8/19/03, and that landscaping and screening is maintained in a manner that meets the intent of city code.</p> <p>5. That signage must conform to the sign standards of s. 295-605 of the Milwaukee Zoning Code.</p> <p>6. That any site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</p> <p>7. That no disabled or unlicensed vehicles or parts are stored outside.</p> <p>8. That all repair work is conducted inside of the building.</p> <p>9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
6	25092 Special Use	Pilgrim Rest Missionary Baptist Church Property Owner	4427-29 W. Fond Du Lac Av. 10th Dist.
		Request to occupy the premises as a community center.	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the storefront windows remain as clear glass and are maintained in an attractive manner.</p> <p>5. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	25111 Special Use	Harriet Conway, Prospective Buyer Request to occupy the premises as a day car center for 60 children (30 per shift) 6wks-12yrs of age, Monday-Friday 6:00 a.m.-11:00 p.m.	4313 W. Fond Du Lac Av. A/K/A 4313-15 W. Fond Du Lac Ave. 10th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscaping and screening must meet the requirements of s.295-405 of the Milwaukee Zoning Code.</p> <p>5. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</p> <p>6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</p> <p>7. That the outdoor play area is separated from the parking area and alley by some type of physical barrier such as bollards.</p> <p>8. That the applicant obtains a certificate of occupancy and complies with all State commercial code requirements for institutional and educational occupancies.</p> <p>9. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
8	24992 Special Use	Guillermo A. Picado, Property Owner Request to occupy the premises as a body shop, motor vehicle repair and sales facility.	1202 W. Greenfield Av. 12th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all repair work is conducted inside of the building. 5. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 6. That no more than four (4) vehicles are parked or displayed for sale on the on-site parking area at any one time. 7. That the landscaping and screening plans are revised to include a 3-foot 6-inch high wood fence along the western property line. 8. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 9. That there is no display of exterior banners or other advertising except signs that are approved by permit and on the site plan. 10. That no work or storage of materials occurs within the public right of way. 11. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	25058 Special Use	Drilling's Automotive, Property Owner Request to occupy the premises as a motor vehicle repair facility.	2067 S. 1st St. 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscaping and screening is provided and maintained in a manner that meets the intent of city code.</p> <p>5. That signage must conform to the sign standards of s. 295-805 of the Milwaukee Zoning Code.</p> <p>6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</p> <p>7. That no disabled or unlicensed vehicles or parts are stored outside.</p> <p>8. That all repair work is conducted inside of the building.</p> <p>9. That no work or storage of vehicles occurs within the public right of way.</p> <p>10. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</p> <p>11. That there is no display of exterior banners or other advertising except signs that are approved by permit and on the site plan.</p> <p>12. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
10	25103 Special Use	Beant S. Boparai, Property Owner Request to occupy the rear warehouse area of the premises as a motor vehicle repair facility.	5938 S. 13th St. 13th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all repair work is conducted inside of the building. 5. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 6. That no work or storage of vehicles occurs within the public right of way. 7. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 8. That there is no display of exterior banners or other advertising except signs that are approved by permit and on the site plan. 9. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	25109 Dimensional Variance	John & Jennifer Vetter, Property Owner Request to increase the side of the existing bay window into the side setback.	1818 N. Hi Mount Bl. 16th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant this appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. 	
12	25110 Special Use	Daniel E. Waters, Property Owner Request to construct an addition (restrooms) to the existing tavern.	4000 W. Clybourn St. 16th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
13	25080 Dimensional Variance	SG Properties LLC, Property Owner Request to continue occupying the premises as a rooming house for 8 people.	1007 N. 14th St. A/K/A 1404 W. State St. 17th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That this Special Use and this Variance are granted for a period of five (5) years, commencing with the date hereof.	
14	25081 Special Use	SG Properties LLC, Property Owner Request to continue occupying the premises as a rooming house for 8 people.	1009 N. 14th St. A/K/A 1404 W. State St. 17th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
15	25082 Dimensional Variance	Peck Row, LLC, Robert De Toro; Property Owner Request to construct a 2,429 sq. ft. detached garage without the proper lot coverage.	1620-30 N. Farwell Av. 3rd Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That the premises is developed according to plans as approved by the City of Milwaukee Historic Preservation Commission. 5. That this Variance is granted to run with the land. 	
16	25108 Use Variance	Mark Goff, Property Owner Request to allow parking in the side yard setback of the premises.	2972 N. Hackett Av. 3rd Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	25091 Special Use	Michelle L. Griffin, Lessee Request to occupy the premises as a bed and breakfast with 5 guest rooms.	743 N. 25th St. 4th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner provides a residential buffer for the proposed parking lot, which meets the requirements of s. 295-405-1-c-4 of the City Code.</p> <p>5. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	25088 Special Use	Jordan M.B. Church Bishop William Reed;Property Owner Request to continue occupying the premises as a day care center for 20 children 2yrs-12yrs of age, Monday-Friday 6:30am-6:30pm.	2127 N. Palmer St. A/K/A 2127-33 N. Palmer St. 6th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	
19	25099 Appeal of an Order	Amazing Ministries Worship Center Property Owner Request to appeal an order issued by the Department of Neighborhood Services determining the premises to be occupied as a religious assembly hall without the Boards approval.	5418 W. Burleigh St. A/K/A 5412-30 W. Burleigh St. 7th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to uphold the order. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	25076 Appeal of an Order	Richard A Stehmeier, Property Owner Request to appeal an order of the Department of Neighborhood Services to remove all vehicles over 22 ft long and 10 ft in height.	2966 S. 44th St. 8th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to uphold the order. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
21	25075 Special Use	Jeanetta Anderson, Property Owner Request to occupy the premises as a day care facility for 16 children (8 per shift) 6wks-12yrs of age, Monday-Friday 6:00am-10:00pm.	3714 N. 16th St. 10th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That there is no exterior signage on the premises. 5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
22	25116 Special Use	The Future Children of Tomorrow Jameeleh Salaam; Lessee Request to occupy the premises as a day care facility for 8 children, 6wks-12yrs of age, Monday-Sunday, 6 AM to midnight.	3249 N. 26th St. 10th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
23	25011 Use Variance	Michael Angeli, Lessee Request to occupy the premises as a social service facility.	4005 W. Oklahoma Av. 11th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must conform to the sign standards of s. 295-505-5 of the Milwaukee Zoning Code.</p> <p>5. That this Variance is granted for a period of three (3) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
24	25078 Use Variance	Charles E. Rickheim, Property Owner Request to convert the existing single family dwelling into a two-family residential dwelling.	2313 E. Morgan Av. 14th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. 	
25	25086 Dimensional Variance	Liliana E. Gutierrez, Property Owner Request to construct a 24 ft. x 38 ft. detached garage.	801 E. Linus St. 14th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the Variance for Lot coverage and deny the Variance for the setback. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That no permits be issued for the proposal until a revised plan that sets the garage back an additional 4 feet from the South Williams Street property line is submitted to and approved by the Zoning Administrative Group (ZAG). 5. That this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	25107 Use Variance	Brian S. & Lori A. Smith Property Owner Request to allow parking in the side yard setback of the premises.	3013 S. Delaware Av. 14th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land.	
27	25095 Use Variance	Laurel Scherbarth, Property Owner Request to allow parking within the front yard setback of the principal building.	230 N. 70th St. 16th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
28	25014 Special Use	Mandeep Dhawan North Side Petroleum, Inc.;Prospective Buyer Request to raze the existing building on site and construct a new filling station, convenience store and car wash on the premises.	4950 W. Lisbon Av. A/K/A 4930 W. Lisbon Ave. 17th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscaping, screening, elevation and signage plans which meet the design recommendations of the Zoning Administration Group (ZAG) must be submitted to the Board of Zoning Appeals and approved by the ZAG prior to the issuance of any permits. In addition, a residential buffer meeting the requirements of s.295-401-c for Type H landscaping must be installed along the eastern and northern property lines adjacent to the residential uses.</p> <p>5. That site illumination plans which meet the requirements of s.295-409 of the Milwaukee Zoning Code must be revised and submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. Specifically, illumination must be controlled to meet the one (1) foot-candle maximum along the eastern property line adjacent to the residential use.</p> <p>6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary.</p> <p>7. That the hours of operation for the car wash are 6 a.m. to 10 p.m.</p> <p>8. That individually sold cigars, cigarette wrapping paper, Black and Mild cigars, Blunt cigars, glass tubes (i.e. type associated with individually sold flowers) and any other items deemed to be drug paraphernalia, not be sold on the premises.</p> <p>9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	25035 Special Use	RA Katz Properties, Property Owner Request to construct a principal use parking lot on the premises.	2510 E. Webster Pl. A/K/A 2502 E. Webster Pl. 3rd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the alderman and will be rescheduled at the next available hearing.	
30	25021 Dimensional Variance	John C. & Elvira E. Juraska Property Owner Request to construct an addition to the existing residential dwelling without the required setbacks (north, south and combined).	3327 N. Hackett Av. 3rd Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That these Variances are granted to run with the land.	
31	24851 Use Variance	Fabco Equipment Inc., Lessee Request to erect an 8 ft fence with barbwire along the street side property line.	2601 W. Clybourn St. 4th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	25105 Use Variance	John B. Fratrack, Property Owner Request to construct a detached garage in the front setback of the premises.	2238 N. Booth St. A/K/A 2238 (A) N. Booth St. 6th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the alderman and will be rescheduled at the next available hearing.	
33	25120 Special Use	Karen Spencer, Lessee Request to add signage and outdoor sales to the existing second hand retail sales facility.	1743-45 N. Martin Luther King Dr. A/K/A 1739-45 N. Martin Luther King Jr. Dr. 6th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That outdoor displays are limited to the 10-foot by 3-foot area prescribed by the petitioner's special privilege agreement. 5. That there be a maximum of 5 items displayed in the public Right-of-Way. 6. That outdoor displays are maintained in a neat and orderly manner. 7. That merchandise and the sandwich board sign may only be displayed outside during business hours. 8. That wall signage on the building's south elevation is limited to a maximum of 25 square feet and must comply with s295-605 of the city's zoning code. 9. That the space at 1737 N. MLK not be used more than 5 times a year, 3 days at a time. 10. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
34	24931 Special Use	Milwaukee Metropolitan Credit Union Christine Timm;Property Owner Request to continue occupying the premises as a bank and expand the existing drive-thru facility without the required distance from residential and the minimum queue lane on site.	1923 W. Oklahoma Av. A/K/A 1923 W. Oklahoma Ave. & 3113 S. 19th St. 14th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetely Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That a revised landscape plan that meets the intent of city code section 295-405 for Type 'B' landscaping is submitted to the Board of Zoning Appeals, and approved by the Zoning Administration Group prior to the issuance of any permits. The revised landscape plan should include the name of all plant species to be used, and provide trees along the W. Oklahoma Ave. and S. 20th St. frontage at the rate of one tree for every 25 feet of street frontage.</p> <p>5. That landscape plans for the parking lot proposed for 3113 S. 19th St that meet the intent of city code section 295-405 for Type 'H' (residential buffer) landscaping are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group</p> <p>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item</u> <u>No.</u>	<u>Case No./</u> <u>Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
---------------------------	--------------------------------------	--------------------	------------------------------------

Other Business:

Board member Jackson moved to approve the minutes of the July 10, 2003 and July 17, 2003 meetings. Seconded by Board member Winkler. Unanimously approved.

The Board set the next meeting for September 25, 2003.

Board member Szymanski moved to adjourn the meeting at 2:40 p.m.. Seconded by Board member Winkler. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board

<u>Item</u> <u>No.</u>	<u>Case No./</u> <u>Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
---------------------------	--------------------------------------	--------------------	------------------------------------